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DSGI TECHNOLOGIES, INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO COURTHOUSE**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DALE L. SHIPLEY et al.,

Defendants.

Case No. 3:13-cv-05721-WHO

**STIPULATION AND ~~PROPOSED~~**  
**ORDER EXTENDING MOTION**  
**BRIEFING DATES**

Date: Not Yet Set  
Time: Not Yet Set  
Before: Hon. William H. Orrick

BRIAN POTTER, et al.,

Defendants in Intervention  
and Cross-Claimants,

v.

UNITED STATES OF AMERICA, et al.,

Cross-Defendants.

**STIPULATION**

All parties-in-interest—including plaintiff and cross-defendant United States of America, defendants and cross-defendant Dale Shipley and Helen Anne Shipley (the “Shipleys”), cross-defendant DSGI Technologies, Inc. (“DSGI”), and the defendants in intervention and cross-claimants Brian and Ann Potter, Michael Weiland, Sr. and MW Investment Group, LLC (the “Intervenors,” and collectively with the United States, the Shipleys and DSGI, the “Parties”)—submit this Stipulation and Proposed Order to Extend the Motion Briefing Dates concerning ownership of the stock held in the receivership by one week.

WHEREAS, on October 4, 2021, per the Parties’ request, the Court issued an Order [Doc. #297]: (1) lifting the stay; (2) granting the parties 90 days from the date of the Order to conduct discovery (the “Discovery Cut-off Date”); and (3) setting a briefing schedule requiring that dispositive motions related to the ownership of the stock be filed within 45 days after the Discovery Cut-off Date, that oppositions be filed 30 days after the motions are filed, and that replies be filed within 14 days after the oppositions are filed (the “Motion Briefing Dates”);

WHEREAS, the Court did not set a hearing date for the motions, but rather informed the Parties that it will only set a hearing date if it determines that oral argument is warranted after the briefing is completed;

WHEREAS, by stipulation submitted on December 13, 2021 [Doc. # 298], the Parties requested additional time to complete discovery and file motions related to the ownership of the stock, which request the Court granted on December 13, 2021 [Doc. #299];

WHEREAS, by stipulation submitted on March 23, 2022 [Doc. # 302], the Parties requested additional time to complete discovery and file motions related to the ownership of the stock, which request the Court granted on March 23, 2022 [Doc. # 303]

WHEREAS, per the Court’s March 23, 2022 order [Doc. #303], the current motion briefing dates (the “Motion Briefing Dates”) are as follows:

Motion filing deadline: April 1, 2022;

Opposition filing deadline: April 29, 2022; and

Reply filing deadline: May 13, 2022.

1 WHEREAS, the United States and the Intervenor filed motions for summary judgment  
2 and partial summary judgment on April 1, 2022, per the Motion Briefing Dates;

3 DSGI requested and all Parties have agreed to a one-week extension of the Motion  
4 Briefing Dates due to the illness of DSGI's lead counsel, Thomas E. Moore III, who contracted  
5 Covid four weeks ago (despite vaccinations and a booster) and is now suffering from long  
6 Covid; and

7 WHEREAS, the Parties do not believe that any Party will be prejudiced by a short one-  
8 week extension of the Motion Briefing Dates.

9 THEREFORE, the Parties, by and through their respective undersigned counsel, for good  
10 cause and the reasons set forth above, stipulate and respectfully request that the Court continue  
11 the Motion Briefing Dates by one week to the following dates:

12 (1) Opposition filing deadline: May 6, 2022; and

13 (3) Reply filing deadline: May 20, 2022.

14 IT IS SO STIPULATED.

15 Date: April 26, 2022

HAYNES AND BOONE, LLP

16 By: /s/ Alfredo W. Amoedo

17 Attorneys for Defendant/Cross-Defendant  
18 DSGI TECHNOLOGIES, INC.

19 DAVID A. HUBBERT  
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21 By: /s/ Amy Matchison  
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*Attorneys for Dale and Helen Anne Shipley*

**ECF CERTIFICATION**

Pursuant to Local Rule 5-1(i)(3), I hereby attest that I obtained concurrence in the filing of this document from the signatories indicated by the conformed signatures (/s/) of Amy T. Matcheson, Jonathan P. Hershey, and Chris P. Housh.

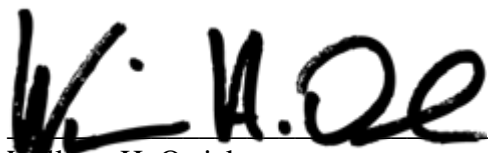
HAYNES AND BOONE, LLP

By: /s/ Alfredo W. Amoedo  
Attorneys for Defendant/Cross-Defendant  
DSGI TECHNOLOGIES, INC.

**ORDER**

For good cause shown and in accordance with Civil Local Rule 7-12, PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 26, 2022

  
\_\_\_\_\_  
William H. Orrick  
United States District Judge